



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Eskesen et al.

Group Art Unit: Unassigned

Serial No.: 09/973,082

Examiner: Unassigned

Filed: October 10, 2001

Atty. Dkt. No. 005432.00002

For: COMMON CARRIER SYSTEM

RESPONSE TO NOTICE TO FILE MISSING PARTS

BOX MISSING PARTS

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

Responsive to the U.S. Patent and Trademark Office "Notice To File Missing Parts Of Nonprovisional Application" mailed November 9, 2001, Applicants are hereby submitting the executed declaration for filing in the subject application. Accordingly, it is respectfully requested that a filing date of October 10, 2001, be granted to this application which is the filing date the original specification and drawings were filed with the Patent and Trademark Office.

The Commissioner is authorized to charge \$870.00 to cover the following to Deposit Account No. 19-0733:

\$740.00 – Fee for basic filing fee

\$130.00 – Surcharge for late Declaration.

Eskesen et al. – U.S. Application No. 09/973,082

In the event any variance exists between the amount authorized and the Patent Office charges, please charge any difference to Deposit Account 19-0733.

Respectfully submitted,

By:


for Joseph M. Potenza

Registration No. 28,175

BA \$5,800

BANNER & WITCOFF, LTD.
1001 G Street, N.W. – 11th Floor
Washington, D.C. 20001
Telephone: 202/508-9100

Dated: March 7, 2002



JMP / CRG

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/973,082	10/10/2001	Eskesen	005432.00002

CONFIRMATION NO. 4671

22907
BANNER & WITCOFF
1001 G STREET N W
SUITE 1100
WASHINGTON, DC 20001

RECEIVED

FORMALITIES LETTER



OC000000007051302

NOV 14 2001

BANNER & WITCOFF LTD.

Date Mailed: 11/09/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 870.

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

09/11/2002 WRCDNA1 00000123 190733 09973082

740.00 CH
130.00 CH

05432.00002
DOCKETED
MISSING PARTS
NOV 14 2001
09 JA2002
09 JE2002: LAST DAY

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.



Complete if Known

TOTAL AMOUNT OF PAYMENT (\$ 1310

Application Number 09/973,082
Filing Date October 10, 2001
First Named Inventor Eskesen et al.
Examiner Name Unassigned
Group / Art Unit Unassigned
Attorney Docket No. 005432.00002

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 19-0733

Deposit Account Name Banner & Witcoff

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☒ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity (\$)	Small Fee Code	Entity (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	740
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$ 740

2. EXTRA CLAIM FEES

Total Claims		**	=	Extra Claims	X	Fee from below	=	Fee Paid
Independent Claims		**	=	0	X		=	0
Multiple Dependent					X		=	0

Large Fee Code	Entity (\$)	Small Fee Code	Entity (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

Fee Code	Large Entity (\$)	Fee Code	Small Entity (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	400
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17 (q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 570

SUBMITTED BY

Name (Print/Type) Joseph M. Potenza

Registration No. Attorney/Agent

28, 175

Telephone

202 508-9100

Signature

Joseph M. Potenza

Date

March 7, 2002

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